

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KENNETH P. WILSON

Application 09/896,439

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 14, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

The Examiner's Answer mailed November 16, 2004, is incomplete for it fails to include the required section "Evidence relied upon." A correction is required.

Further, the Appeal Brief filed on October 21, 2004 does not comply with 37 CFR § 41.37(c) .

Upon and in-depth review of the Appeal Brief indicates that the following sections are missing from the Appeal Brief filed October 21, 2004:

- 1) "Evidence Appendix", as set forth in 37 CFR § 41.37(c) (1)(ix); and
- 2) "Related Proceedings Appendix", as set forth in 37 CFR § 41.37(c) (1)(x) .

Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner for providing a revised Examiner's Answer incorporating the required section "Evidence relied upon" ,

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to require a supplemental Appeal Brief containing the omitted appendices; and for such further action as may be appropriate.

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